

**STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS**

DEPARTMENT OF COMMUNITY AFFAIRS,

Petitioner,

v.

Case No. 10-10931GM

SUMTER COUNTY,

Respondent.

\_\_\_\_\_ /

**FINAL ORDER**

An Administrative Law Judge of the Division of Administrative Hearings has entered an Order Closing File And Relinquishing Jurisdiction in this proceeding. A copy of the Order is attached to this Final Order as Exhibit A.

**BACKGROUND**

This is a proceeding to determine whether Sumter County (County) Comprehensive Plan Amendment 10-1, adopted by Ordinance No. 2010-17, on October 26, 2010, is "in compliance" with the Community Planning Act, Ch. 163, Part II, Florida Statutes (as amended by Chapter 2011-139, Laws of Florida) (the "Act").

The parties entered into a Stipulated Settlement Agreement which required the County to adopt a certain remedial amendment. The County adopted Remedial Amendment 11-R1 by Ordinance No. 2011-09 on May 10, 2011, and the Remedial Amendment was not challenged by a timely petition.

**Final Order No. DCA11-GM-117**

The Department subsequently filed a Motion For Order Relinquishing Jurisdiction. The Administrative Law Judge issued his Order Relinquishing Jurisdiction And Closing File (copy attached hereto), and relinquished jurisdiction to the Department.

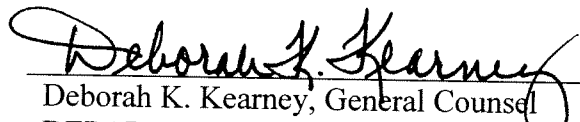
ORDER

WHEREFORE, it is ORDERED that:

A. Sumter County (County) Comprehensive Plan Amendment 10-1, adopted by Ordinance No. 2010-17, on October 26, 2010, as modified by Remedial Amendment 11-R1, adopted by Ordinance No. 2011-09 on May 10, 2011, is determined to be in compliance with the Act, and

B. The above-captioned proceeding is DISMISSED.

DONE AND ORDERED in Tallahassee, Florida.

  
Deborah K. Kearney, General Counsel  
DEPARTMENT OF COMMUNITY AFFAIRS

**NOTICE OF RIGHTS**

EACH PARTY IS HEREBY ADVISED OF ITS RIGHT TO SEEK JUDICIAL REVIEW OF THIS FINAL ORDER PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND FLORIDA RULES OF APPELLATE PROCEDURE 9.030(b)(1)(C) AND 9.110.

TO INITIATE AN APPEAL OF THIS ORDER, A NOTICE OF APPEAL MUST BE FILED WITH THE DEPARTMENT'S AGENCY CLERK, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100, WITHIN 30 DAYS OF THE DAY THIS ORDER IS FILED WITH THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED BY FLORIDA RULE OF APPELLATE PROCEDURE 9.900(a). A COPY OF THE NOTICE OF APPEAL MUST BE FILED WITH

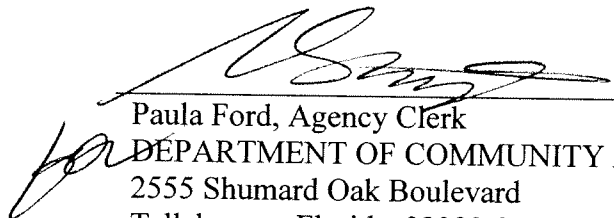
THE APPROPRIATE DISTRICT COURT OF APPEAL AND MUST BE ACCOMPANIED BY THE FILING FEE SPECIFIED IN SECTION 35.22(3), FLORIDA STATUTES.

YOU **WAIVE** YOUR RIGHT TO JUDICIAL REVIEW IF THE NOTICE OF APPEAL IS NOT TIMELY FILED WITH THE AGENCY CLERK AND THE APPROPRIATE DISTRICT COURT OF APPEAL.

MEDIATION UNDER SECTION 120.573, FLA. STAT., IS NOT AVAILABLE WITH RESPECT TO THE ISSUES RESOLVED BY THIS ORDER.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below in the manner described, on this 15<sup>th</sup> day of June 2011.

  
Paula Ford, Agency Clerk  
DEPARTMENT OF COMMUNITY AFFAIRS  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

By U.S. Mail and Electronic Mail:

George G. Angeliadis, Esq.  
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420 South Orange Avenue, Suite 1200  
Orlando, FL 32801  
[cecilia.bonifay@akerman.com](mailto:cecilia.bonifay@akerman.com)

By Hand Delivery:

David L. Jordan, Deputy General Counsel  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399

By Filing with DOAH:

The Honorable J. Lawrence Johnston  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32399-1550

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF COMMUNITY	)	
AFFAIRS,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. 10-10931GM
	)	
SUMTER COUNTY,	)	
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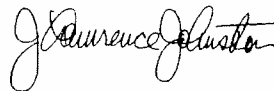
ORDER RELINQUISHING JURISDICTION AND CLOSING FILE

This cause having come before the undersigned on the Motion for Order Relinquishing Jurisdiction (Motion), filed June 13, 2011, and the undersigned being fully advised in the premises, it is, therefore,

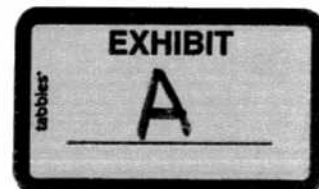
ORDERED that:

1. The Motion is granted.
2. The file of the Division of Administrative Hearings in the above-captioned matter is closed, and jurisdiction is relinquished to the Department of Community Affairs.

DONE AND ORDERED this 14th day of June, 2011, in Tallahassee, Leon County, Florida.



\_\_\_\_\_  
J. LAWRENCE JOHNSTON  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060  
(850) 488-9675  
Fax Filing (850) 921-6847  
www.doah.state.fl.us



Filed with the Clerk of the  
Division of Administrative Hearings  
this 14th day of June, 2011.

COPIES FURNISHED:

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Tallahassee, Florida 32399-2100

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